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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

LOWELL SMITH,

Defendant.

2:17-cr-212-APG-GWF

**Motion to Dismiss the Indictment  
Without Prejudice**

The single-count Indictment in this case charges Defendant Lowell Smith with *Conspiracy to Defraud the United States*, in violation of 18 U.S.C. § 371. Based on a thorough review of the evidence and subsequent investigation in preparation for trial, the Government has concluded that the interests of justice require dismissal of the Indictment at this time. Pursuant to Federal Rule of Criminal Procedure 48(a), the Government requests permission of the Court to dismiss without prejudice the Indictment.

Respectfully submitted this 8th day of March, 2019.

NICHOLAS A. TRUTANICH  
United States Attorney

s/ Richard Anthony Lopez  
RICHARD ANTHONY LOPEZ  
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 LOWELL SMITH,

7 Defendant.

2:17-cr-212-APG-GWF

**Order of Dismissal of the Indictment  
Without Prejudice**


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9 Pursuant to Federal Rule of Criminal Procedure 48(a), and upon leave of Court, the  
10 United States hereby dismisses without prejudice the Indictment against Defendant Lowell  
11 Smith.

12 NICHOLAS A. TRUTANICH  
13 United States Attorney

14 s/ Richard Anthony Lopez  
15 RICHARD ANTHONY LOPEZ  
Assistant United States Attorney

16 Leave of Court is granted for the filing of the above dismissal.

17 Dated: March 8, 2019.

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20 HONORABLE ANDREW P. GORDON  
21 UNITED STATES DISTRICT JUDGE  
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